

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
WESTERN DIVISION**

BOYNTON BEACH FIREFIGHTERS'
PENSION FUND on behalf of itself and all
others similarly situated,

Plaintiff,

v.

HCP, INC.; HCR MANORCARE, INC.;
LAURALEE MARTIN; TIMOTHY SCHOEN;
PAUL A. ORMOND; and STEVEN M.
CAVANAUGH,

Defendants.

No. 3:16-cv-01106-JJH

**DECLARATION OF SCOTT D. SIMPKINS IN FURTHER SUPPORT OF THE
MOTION OF THE PUBLIC EMPLOYEES' RETIREMENT SYSTEM OF MISSISSIPPI
FOR APPOINTMENT AS LEAD PLAINTIFF AND APPROVAL OF ITS SELECTION
OF LEAD COUNSEL, AND IN OPPOSITION TO THE COMPETING MOTION**

I, Scott D. Simpkins, declare as follows:

1. I am a member in good standing of the bars of the State of Ohio and of this Court. I am a partner in the law firm of Climaco, Wilcox, Peca, Tarantino & Garofoli Co., L.P.A. I submit this declaration in further support of the Motion filed by the Public Employees' Retirement System of Mississippi ("Mississippi") for appointment as Lead Plaintiff and approval of its selection of Bernstein Litowitz Berger & Grossmann LLP ("Bernstein Litowitz") and Barrack, Rodos & Bacine ("Barrack Rodos") to serve as Lead Counsel for the Class; in opposition to the competing motion; and for any such further relief as the Court may deem just and proper.

2. Attached as Exhibits A through D are true and correct copies of the following documents:

EXHIBIT A: Société Générale Company description, dated July 28, 2016, at <http://securities-services.societegenerale.com/en/who-are/company/>;

EXHIBIT B: Declaration of Assignment by Fund REIT Nordamerika 1 to Société Générale Securities Services GmbH, dated July 26, 2016, filed in *French v. CBL & Associates Properties, Inc.*, No. 16-cv-00165 (E.D. Tenn.), ECF No. 25-5;

EXHIBIT C: SGSS Deutschland Kapitalanlagegesellschaft mbH Certification Pursuant to Federal Securities Laws, September 6, 2011, filed in *City of Brockton Retirement System v. Avon Products, Inc.*, No. 11-cv-4665 (S.D.N.Y.), ECF No. 9-1; and

EXHIBIT D: Memorandum of Law in Support of Motion of Générale Securities Services GmbH for Consolidation of the Related Actions, Appointment as Lead Plaintiff, and Approval of Selection of Lead Counsel, dated July 26, 2016, filed in *French v. CBL & Associates Properties, Inc.*, No. 16-cv-00165 (E.D. Tenn.), ECF No. 24.

I declare, under penalty of perjury, that the foregoing is true and correct to the best of my knowledge.

Executed this 28th day of July, 2016.

/s/ Scott D. Simpkins

Scott D. Simpkins